



Senate Fiscal Agency
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BILL



ANALYSIS

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House Bill 5600 (Substitute S-1 as reported)
Sponsor: Representative Joe Haveman
House Committee: Judiciary
Senate Committee: Judiciary

CONTENT

The bill would amend the juvenile code to do the following:

- Allow a person who had been adjudicated of not more than three juvenile offenses, of which not more than one could be a juvenile offense that would be a felony if committed by an adult, to file for a court order expunging any or all of those adjudications.
- Specify that multiple juvenile adjudications arising out of a series of acts that were in a continuous time sequence of 12 hours and that displayed a single intent and goal would constitute one offense, if none of the adjudications constituted an assaultive crime, an offense involving the use or possession of a weapon, or an offense with a maximum penalty of 10 or more years' imprisonment.
- Allow a person to file for expunction of juvenile adjudications one year, rather than five years, after imposition of the disposition or completion of any detention, or when the person turned 18, instead of 24.

Currently, except as otherwise provided, a person who has been adjudicated of not more than one juvenile offense and who has no felony convictions may file an application with the adjudicating court for the entry of an order setting aside the adjudication. A person may have only one adjudication set aside.

MCL 712A.18e

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

By creating the potential for multiple adjudications to be set aside and also reducing the waiting period before which a juvenile offender can petition for a set-aside, the bill could result in an increase in applications and therefore an increase in administrative costs for local courts and the Michigan State Police. Costs for the Michigan State Police could be partially offset by a corresponding increase in revenue from the \$25 application fee.

Date Completed: 12-7-12

Fiscal Analyst: Dan O'Connor